

IN RE: PETITION FOR ZONING VARIANCE
SE/Corner Belair Road and
Henry Avenue
(7533 Belair Road)
14th Election District
6th Councilmanic District
Catherine M. Biedermann
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-109-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a freestanding sign containing 181.3 sq.ft. total (90.65 sq.ft. per side) in lieu of the maximum permitted 100 sq.ft., as more particularly described in Petitioner's Exhibit 1.

The Petitioner, by Stephen M. Broache with Crown Petroleum, Contract Lessee of the subject property, appeared, testified, and was represented by Andrew Lapayowker, Esquire. Also appearing on behalf of the Petition was Bernard F. Mannion, Real estate Broker for Crown Petroleum. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 6th day of October, 1988 that the Petition for Zoning Variance to permit a freestanding sign containing 181.3 sq.ft. total (90.65 sq.ft. per side) in lieu of the maximum permitted 100 sq.ft., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his sign permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) Prior to the issuance of any sign permit, Petitioner shall submit a landscaping plan to the Office of Current Planning and the Zoning Commissioner for final approval.

J. Robert Haines
Zoning Commissioner for
Baltimore County

JRH:bjs

"DUPLICATE"
CERTIFICATE OF PUBLICATION

TOWSON, MD., September 2, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept 9, 1988.

THE JEFFERSONIAN,
S. Zeke Olson
Publisher

\$35.63
PO# 04155
R# M10454

"DUPLICATE"
CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept 12, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in OWINGS MILLS TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept 7, 1988.

NORTHEAST
OWINGS MILLS TIMES,
S. Zeke Olson
Publisher

PO# 04156
R# M0953
\$37.50

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

October 6, 1988



Dennis F. Rasmussen
County Executive

Andrew Lapayowker, Esquire
P.O. Box 1168
Baltimore, Maryland 21203

RE: PETITION FOR ZONING VARIANCE
SE/Corner Belair Road and Henry Avenue
(7533 Belair Road)
14th Election District - 6th Councilmanic District
Catherine M. Biedermann - Petitioner
Case No. 89-109-A

Dear Mr. Lapayowker:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: Mr. Stephen M. Broache
Crown Central
P.O. Box 1168, Baltimore, Md. 21203

People's Counsel

File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

Date: 9/15/88



Dennis F. Rasmussen
County Executive

Andrew Lapayowker, Esq.
Crown Petroleum
P.O. Box 1168
Baltimore, Maryland 21203

Re: Petition for Zoning Variance
CASE NUMBER: 89-109-A
SE/Corner Belair Road and Henry Avenue
(7533 Belair Road)
14th Election District - 6th Councilmanic District
Petitioner(s): Catherine M. Biedermann
Lessee: Crown Petroleum
HEARING SCHEDULED: WEDNESDAY, OCTOBER 5, 1988 at 11:00 a.m.

Dear Mr. Lapayowker:

Please be advised that \$88.13 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED
ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204, 15 minutes before

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 059125
DATE 9/26/88 ACCOUNT R-01-615-000
AMOUNT \$ 88.13
RECEIVED FROM Crown Petroleum (C. Biedermann)
FOR Posting of signs \$ 10/5/88 Haining
8 021*****8633
89-109-A
VALIDATION OR SIGNATURE OF CARRIER
DATE-TIME-INITIALS PRE-ADVERT YELLOW-OUTDOOR

post set(s), there each set not

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.2-F to permit a freestanding sign containing 181.3 square feet in lieu of the required 100 sq. ft.

SINGLE SIDE OF SIGN = 90.65 SQ. FT. ; COUNTY
DEFINES TOTAL SQUARE FOOTAGE AS SUM OF BOTH
SIDES. EXISTING "CROWN" LOGO (5'-0" X 10'-2" WIDE OVAL)
TO BE REMOVED; PLACE SIGN TO INCREASE TO 3'-0" WIDE
X 6'-0" HIGH TO MEET STATE AND COMPETITIVE REQUIREMENTS.
Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

LESSOR
STEPHEN M. BROACHE
(Type or Print Name)
Signature
P.O. Box 1168
Address
BALTIMORE, MD. 21203
City and State

Legal Owner(s):
CATHERINE M. BIEDERMANN
(Type or Print Name)
Signature
(Type or Print Name)
Signature

Attorney for Petitioner:
ANDREW LAPAYOWKER
(Type or Print Name)
Signature
P.O. Box 1168
Address
BALTO. MD. 21203
City and State

Attorney for Petitioner:
P.O. Box 11
Address
Kingsville, Md. 21087
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
CONTACT: STEPHEN M. BROACHE
CROWN CENTRAL
P.O. BOX 1168 BALTO. 21203-7400
Address Phone No.

ORDERED By the Zoning Commissioner of Baltimore County, this 21st day of July, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 3rd day of October, 1988, at 11 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.
(over)

89-109-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
21st day of July, 1988.

Catherine M. Biedermann/
Legal Owner
Stephen M. Broache - Crown
Petitioner
Attorney
Petroleum/Lessee

J. Robert Haines
ZONING COMMISSIONER
Received by: Mass F. Dean
Chairman, Zoning Plans
Advisory Committee

Baltimore County
Fire Department
Towson, Maryland 21204-2536
494-4500

Paul H. Reineke
Chief
J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

July 26, 1988



Re: Property Owner: Glen Mill Corp.

Dennis F. Rasmussen
County Executive

Location: NE/ and S/W Noyall Road, SE of Glenmill Rd. and S/W of
Hines Road
Item No.: 16 Zoning Agenda: Meeting of 7/26/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *C. H. Kelly 7/15/88* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/j1

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 29, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
000

Andrew Lapayoker, Esquire
Crown Central Petroleum
P.O. Box 1168
Baltimore, Maryland 21203

RE: Item No. 485 - Case No. 89-109-A
Petitioner: Catherine M. Biedermann/Legal Owner
Lessee: Stephen M. Broache - Crown Petroleum
Petition for Zoning Variance

Dear Mr. Lapayoker:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

August 24, 1988



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

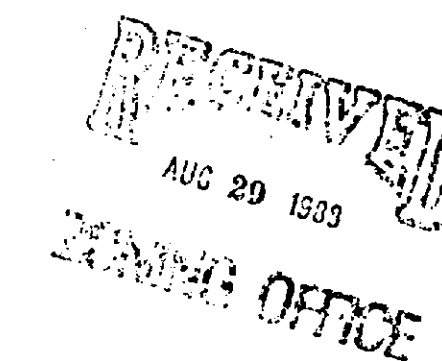
Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 480, 5, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 23, 25, 26, 28, 29, 30, 31, 32, 33, 36, 37, 38, 39 and 40.

Very truly yours,

Stephen E. Weber
Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEN/RP/lab



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Biedermann (Crown Station)
Zoning Petition No. 89-109-A

Date: September 27, 1988

The construction of the sign will necessitate in the disturbance of the area around the sign. Landscaping should be provided within proximity to the sign.

PK/sf

RECEIVED

SEP 30 1988

ZONING OFFICE

cc: Andrew Lapayoker, Esq.
10/1/88

OCT. 03 1988

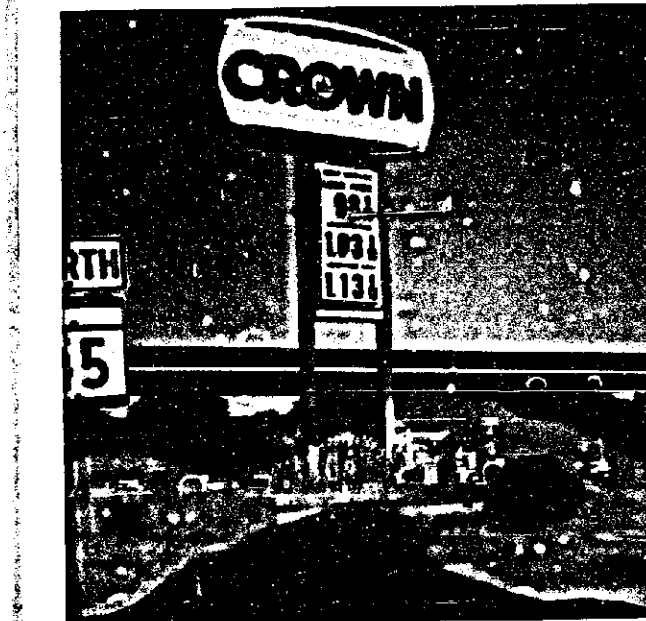
PETITIONER(S) EXHIBIT (1)



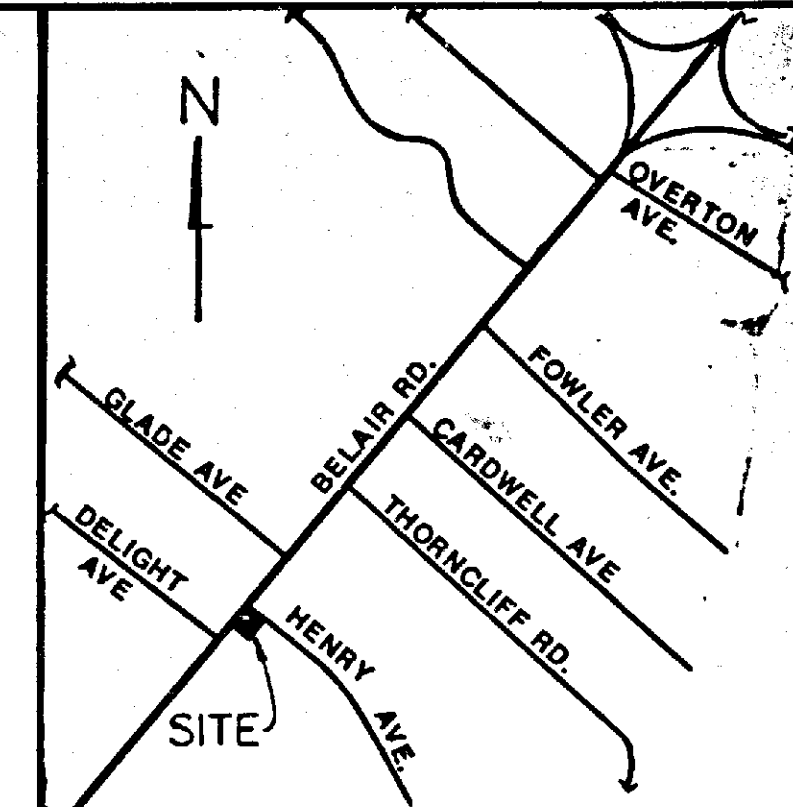
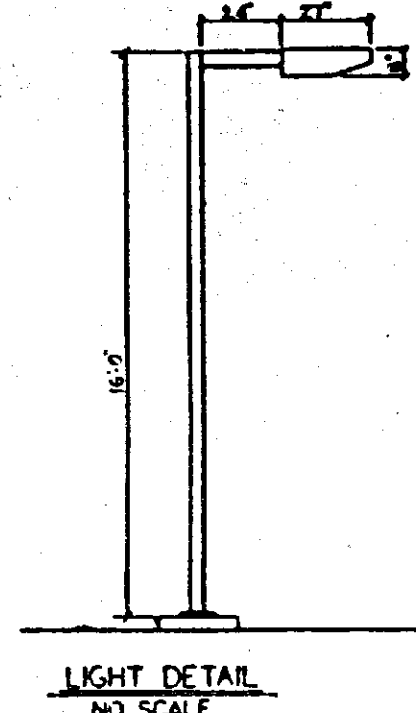
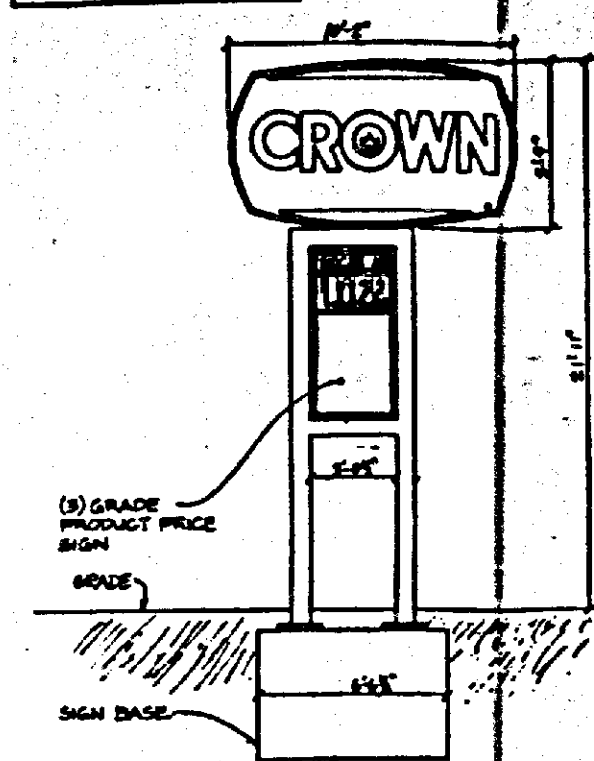
PETITIONER(S) EXHIBIT (1)



PETITIONER(S) EXHIBIT (2)



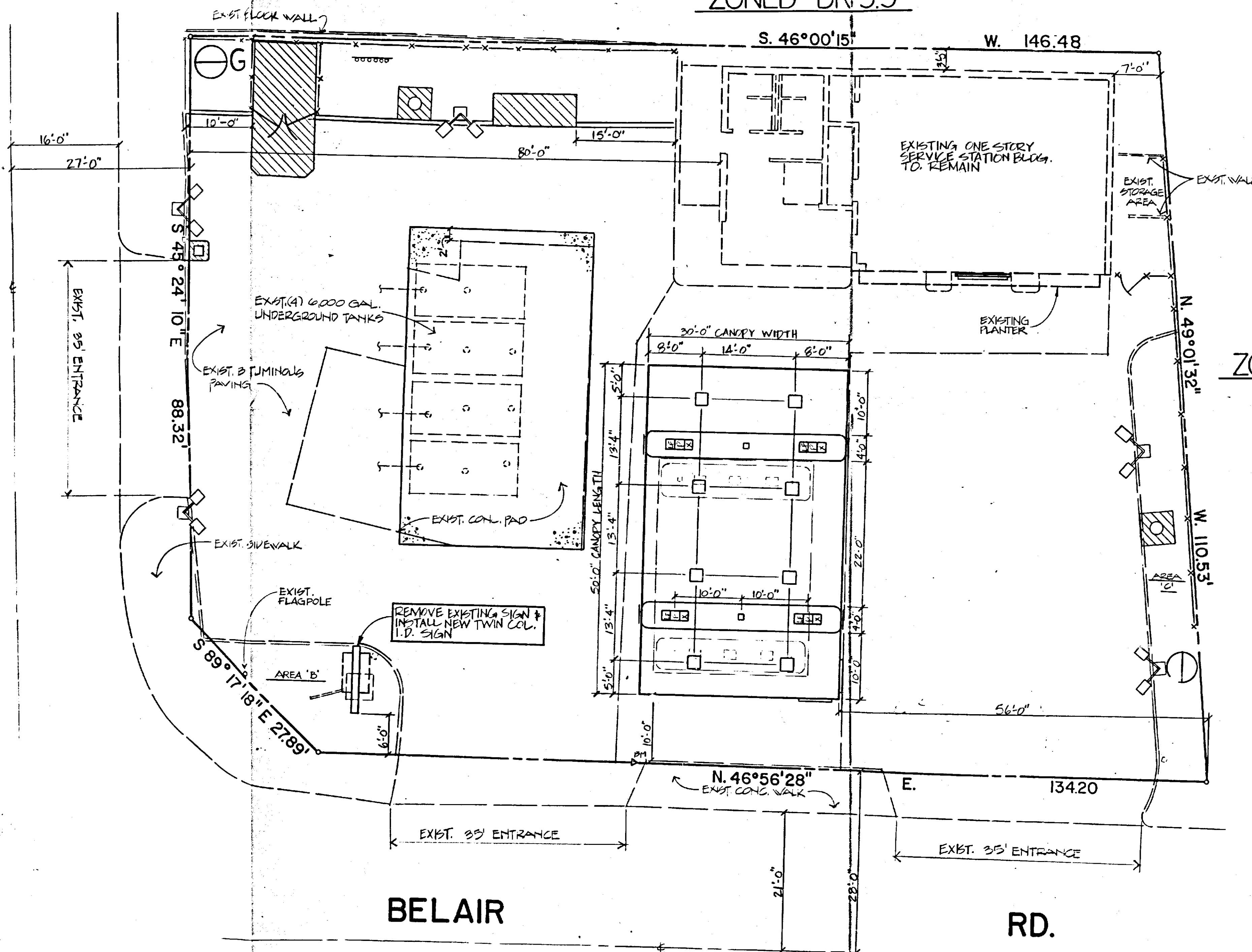
1.2.2008
PRICE \$100.00
STRUCTURE \$10.00
TOTAL PROPOSED \$110.00



VICINITY MAP
SCALE: 1"=500'

ZONED DR-5.5

S. 46°00'15" W. 146.48



ZONED BL-CS2

ZONING STATUS
EXISTING ZONING: PARCEL #1 BL-CS-2
EXISTING DISTRICT: BL-CS-2
AREA REQUIREMENTS
2 # DISPENSER ISLANDS WITH 2 # SINGLE-DISPENSER PUMPS-CAPABLE OF SERVING 2 CARS AT ANY ONE TIME.
TOTAL SERVICING SPACES 8
TOTAL SERVICING BAYS 8
TOTAL BAYS & SPACES 8
SITE AREA REQUIRED TOTAL BAYS & SPACES 8 # x 1500 SQUARE FEET = 12,000 SQUARE FEET. MINIMUM AREA REQUIRED 15,000 SQ. FT.
PROPOSED ANCILLARY & MOTOR OIL ANTIFREEZE AWED PRODUCTS GASETELLER & CANDY ADDITIONAL AREA REQUIRED
PROPOSED COMBINATION USES
ADDITIONAL AREA REQUIRED
TOTAL AREA REQUIRED 15,000
TOTAL AREA OF TRACT 11,124
ACCESS POINTS
NUMBER OF DRIVEWAYS ON FRONT STREET 2 TIMES 65 = 130
(REQUIRED WIDTH)
ACTUAL SITE WIDTH 125.61
LANDSCAPING
AREA "A" = 763 SQUARE FEET AREA "C" = 925 SQUARE FEET
AREA "B" = 422 SQUARE FEET AREA "D" = 525 SQUARE FEET
TOTAL 1,114 SQ. FT. = 8.8 % OF TRACT
5% OF TRACT 558.3 SQ. FT.
LANDSCAPING CONSISTS OF (DESCRIPTION)
LIGHTING
(1) TYPE METAL HALIDE HEIGHT 10' 1/2" TWIN ARMS (DESCRIPTION)
(2) TYPE HEIGHT (DESCRIPTION)
PARKING
PARKING SPACES REQUIRED THREE FOR EACH BAY
PARKING SPACES PROVIDED
(ALL PARKING MUST BE SET BACK 5 FEET FROM STREET PROPERTY LINE)
NOTE: NO INDUSTRIAL WATER WILL BE USED OR INDUSTRIAL WASTE WATER DISCHARGED FROM THIS STATION.

PETITIONER'S
EXHIBIT 3

PETITIONER'S
EXHIBIT 3



14th ELECTION DISTRICT
CASE NO. 67-196X 3/10/67
PLAT FOR ZONING VARIANCES ITEM

MD-75

CROWN CENTRAL PETROLEUM CORPORATION
PRODUCERS • REFINERS • MARKETERS OF PETROLEUM PRODUCTS AND PETROCHEMICALS
GENERAL OFFICES • ONE NORTH CHARLES • P.O. BOX 1168 • BALTIMORE, MARYLAND 21203

REV. NO.	DATE	DESCRIPTION
4	2-1-88	ADDED NEW TANK PAD, AIR METER
3	2-11-88	ADDED NEW SITE IMPROVEMENTS
2	7-30-87	ADDED GROUND MOUNTED POLE SIGNS
1	7-10-86	ADDED VICINITY MAP & ZONING INFO.

PLOT PLAN - CROWN SERVICE
BELAIR ROAD & HENRY AVENUE
OVERLEA, BALTIMORE CO, MARYLAND
SCALE: 1"=10'-0" DATE: 12-12-86 STATION NUMBER MD-75
DRAWN BY B. PEE CHECKED BY DRAWING NUMBER CP-3575 REV. NO. 4

NOTE:
1. EXISTING PUBLIC UTILITIES TO REMAIN
2. EXISTING GRADES TO REMAIN